

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tim Mackey and John Nesse as Trustees of the Minnesota Laborers Health and Welfare Fund; Gary Reed and John Nesse as Trustees of the Minnesota Laborers Pension Fund; James Brady and Martha Henrickson as Trustees of the Minnesota Laborers Vacation Fund; Gary Reed and John Bartz as Trustees of the Construction Laborers Education, Training, and Apprenticeship Fund of Minnesota and North Dakota; Dan Olson and Chris Born as Trustees of the Minnesota Laborers Employers Cooperation and Education Trust; the Minnesota Laborers Health and Welfare Fund; the Minnesota Laborers Pension Fund; the Minnesota Laborers Vacation Fund; the Construction Laborers Education, Training, and Apprenticeship Fund of Minnesota and North Dakota; and the Minnesota Laborers Employers Cooperation and Education Trust,

Plaintiffs,

v.

North Metro Asphalt LLC d/b/a North Metro Asphalt & Contracting,

Defendant.

Carl S. Wosmek, Christy E. Lawrie, and Amy L. Court, Esqs., **MCGRANN SHEA CARNIVAL STRAUGHN & LAMB, CHARTERED**, Minneapolis, Minnesota, for Plaintiffs.

Civil No: 14-3032 (JRT/SER)

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau, dated April 26, 2016

[Docket No. 60]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Plaintiffs' Motion for an Order to Show Cause [Docket No. 49] is **DENIED without prejudice**.

Dated: May 18, 2016
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court